

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

SEP 24 2012

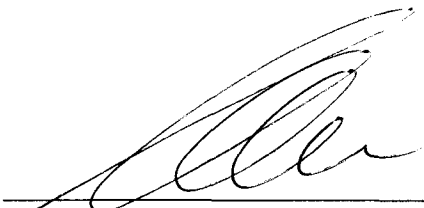
JULIA C. DUDLEY, CLERK  
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UNITED STATES OF AMERICA	)	Criminal Case No. 3:95cr00017
	)	
v.	)	<u>2255 FINAL ORDER</u>
	)	
DERRICK A. JOHNSON	)	By: Samuel G. Wilson
	)	United States District Judge

In accordance with the court's memorandum opinion entered on this day, it is hereby **ADJUDGED** and **ORDERED** that Johnson's motion pursuant to 28 U.S.C. § 2255 (ECF No. 221) shall be **DISMISSED** without prejudice as successive, and the case is hereby **STRICKEN** from the court's active docket.

Further, finding that Johnson has failed to make the requisite substantial showing of the denial of a constitutional right, as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

**ENTER:** September 24, 2012.

  
UNITED STATES DISTRICT JUDGE